REMARKS

Claims 1-22 are all the claims pending in the application.

Applicant thanks the Examiner for acknowledging receipt of the certified copies of Applicants' priority documents.

I. §112, Second Paragraph, Rejection

The Examiner has rejected claim 5 under 35 U.S.C. §112, second paragraph, as being indefinite. Applicant has amended claim 5 to recite "second and third memories" in place of "third and fourth memories." In addition, for clarification, claim 5 has been amended to recite that the third device determines the contents of the second and third memories. Applicant notes that claims 6, 16 and 17 contain the same language as claim 5. Accordingly, Applicant has amended claims 6, 16 and 17 to recite the same language as amended claim 5. Applicant, therefore, submits that the § 112, second paragraph, rejection has been addressed.+

II. §102(e) and §103(a) Rejections

The Examiner has rejected claims 1 and 12 under 35 U.S.C. §102(e) as being anticipated by Ball (U.S. Patent No. 6,446,200). In addition, the Examiner has rejected claims 2 and 13 under 35 U.S.C. §103(a) as being unpatentable over Ball, in view of Ikudome (U.S. Patent No. 6,779,118). Additionally, claims 3-7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ball, in view of Ikudome, and further in view of McCreery (U.S. Patent No. 5,787,253). Although not expressly stated by the Examiner in paragraph 12 of the Office Action, Applicant assumes that claims 14-18 are also rejected for the same reasons as set out with respect to claims 3-7.

The Examiner has rejected claims 8 and 9 under 35 U.S.C. § 103(a) as being unpatentable over Ball, in view of McCreery. Although not expressly stated by the Examiner in paragraph 20 of the Office Action, Applicant assumes that claims 19 and 20 are also rejected for the same reasons as set out with respect to claims 8 and 9. Further, claims 10-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ball, in view of McCreery, and further in view of Ikudome. Although not expressly stated by the Examiner in paragraph 25 of the Office Action, Applicant assumes that claims 20-21 are also rejected for the same reasons as set out with respect to claims 10 and 11.

Applicant respectfully traverses these rejections as set out below.

III. Claims 1 and 12

Independent claims 1 and 12 recite, among other things, "a certification server which certificates a user." As noted in Applicant's prior response dated March 1, 2005, the term "certificates" refers to the act of billing the user for the usage of various web-based services. (See also specification at page 6, lines 23-27).

The Examiner asserts that Ball discloses a certification server which certificates a user. However, the portions of the Ball reference which the Examiner cites in support of this assertion merely state that the remote authentication dial-in user service (RADIUS server 12g produced RADIUS accounting records using an existing RADIUS accounting process (not shown)). (col. 3, lines 42-45). Accordingly, Ball merely discloses supporting a RADIUS accounting environment which, as Ball expressly states, is a well-accepted standard in the industry.

A RADIUS server is an Authentication, Authorization, and Accounting (AAA) server which is used to provide authentication and authorization services for dial-up computers. See Request for Comments: 3957 at http://www.faqs.org/rfcs/rfc3957.html. (Excerpt pgs. 1-7 attached as Exhibit A). The radius authentication protocol is more fully set out at RFC 2865 which can be viewed at http://www.faqs.org/rfcs/rfc2865.html.

Given the disclosure in Ball, Applicant respectfully submits that the Examiner's assertion is incorrect. Ball's RADIUS server 12g does not perform functions similar to the recited certification server of claims 1 and 12. A RADIUS server only provides authentication and authorization services. On the other hand, the recited certification server of claims 1 and 12 performs the function of billing the user for any web-based services utilized while the user is logged onto the internet. These functions are not equivalent to the functions performed by a RADIUS server or, in particular, Ball's RADIUS server 12g. Accordingly, Applicants respectfully submits that for these reasons, the §102(e) rejection of independent claims 1 and 12 should be withdrawn.

IV.   Claims 2-7 and 13-18

Claims 2-7 and 13-18 all depend from claims 1 and 12, respectively, and the rejections of the same are based, in part, on the Examiner's combination of the Ball reference with Ikudome and/or McCreery. However, neither Ikudome or McCreery provide the missing certification server required by independent claims 1 and 12. Therefore, claims 2-7 and 13-18 should be allowable at least based on their dependence from claims 1 and 12 for at least the same reasons described above.

V.   Claims 8 and 19

Independent claims 8 and 19 recite, among other things, "making annunciation to said user when there is a certain rule in said interval." The Examiner asserts that Ball discloses the remaining limitations of claims 8 and 19. To supply the missing "annunciation", the Examiner asserts that McCreery discloses an alarm generation section 270. Further, the Examiner asserts that it would have been obvious to one of ordinary skill in the art to implement McCreery's rule-based alarm functionality (which the Examiner equates with the recited annunciation) into Ball's packet monitoring system, to alert users immediately when certain predetermined rules have been satisfied by the monitored packets. Applicant respectfully disagrees. In addition, Applicant respectfully disagrees with the Examiner's response to arguments at paragraph 3 of the current Office Action.

McCreery's alarm generation section is not equivalent, or even analogous, to the recited annunciation of claims 8 and 19. Alarm generation section 270 alerts managers of internet sites and internet service providers of network problems in order to better monitor reliability. (Col. 5, lines 44-54). While McCreery discloses alerting "selected individuals", there is no specific definition with respect to the selected individuals. On the other hand, it is clear that the term "selected individuals" refers to the above-mentioned managers of internet sites and internet service providers since these are the individuals and entities which need "to know immediately of problems or crashes on a network or servers on the network." (Col. 5, lines 44-57). In addition, there is absolutely no disclosure, suggestion or teaching that the "users" of a network are alerted by alarm generation section 270. In fact, it would seem the opposite is suggested

since one of ordinary skill in the art would clearly understand that alerts directed to network managers are not generally broadcasted to network users.

The recited annunciation of claims 8 and 19 notifies "users" when there is a certain rule in an interval. In the present invention, users are those individuals that receive services and content information at data communication terminals from application servers (Spec. at page 6, lines 15-18). Annunciation to a user is made in various manners such as a text document, a notice board, a warning notice included in the communications protocol or a warning program capable of running on the user's terminal. (Spec. at page 7, line 26 - page 8, line 3). It is, therefore, respectfully submitted that the recited annunciation is only directed to users, not managers of internet sites or internet service providers. Further, as mentioned above, there is no disclosure, teaching or suggestion that McCreery's alarm generation section 270 is directed to alerting users with respect to the monitoring of packets transmitted to individual users.

As the Examiner admits, Ball's system fails to disclose the recited annunciation. Moreover, there is no disclosure, teaching or suggestion in Ball of any need for an alarm or warning functionality for users or even managers of internet sites or internet service providers (the "selected individuals"). Neither reference, therefore, either alone or in combination, provides any teaching, suggestion or motivation which would support the Examiner's asserted combination. Moreover, as a practical manner, it is by no means clear that the Examiner's asserted combination would preserve the principle of operation of Ball's service management system. Accordingly, Applicant respectfully submits that for these reasons, the §103(a) rejection of independent claims 8 and 19 should be withdrawn.

VI.   <u>Claims 9-11 and 20-21</u>

Claims 9-11 and 20-21 all depend from claims 8 and 19, respectively, and the rejection of the same are based on the Examiner's asserted combination of Ball and McCreery and/or Ikudome with respect to claims 8 and 19. Therefore, claims 9-11 and 20-21 should be allowable at least based on their dependence from claims 8 and 19 for at least the same reasons described above.

VII.   <u>Conclusion</u>

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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